

AO 440 (Rev. 12/09) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

Eastern District of New York

Jonathan Bell, Hezekiah Hunter, Michael Gordon,
Devan Bell, and Stephen M. Springle

Plaintiff

v.

City of New York, Gerard Delprete, Matthew Regina,
and John and Jane Doe 1-10

Defendant

CV 11 - 1885 -
Civil Action No.

MATSUMOTO, J.

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* Matthew Regina *(Shield No. 239)*
c/o NYPD
Narcotics Division
One Police Plaza, Room 1100
New York, NY 10038

LEVY M.J.

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Leventhal & Klein, LLP
45 Main Street, Suite 230
Brooklyn, New York 11201

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

ROBERT C. HEINEMANN

CLERK OF COURT

(Signature)
Signature of Clerk or Deputy Clerk

APR 15 2011

Date: _____

Civil Action No. _____

PROOF OF SERVICE*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* _____
 was received by me on *(date)* _____.

☐ I personally served the summons on the individual at *(place)* _____
 _____ on *(date)* _____; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* _____
 _____, a person of suitable age and discretion who resides there,
 on *(date)* _____, and mailed a copy to the individual's last known address; or

☐ I served the summons on *(name of individual)* _____, who is
 designated by law to accept service of process on behalf of *(name of organization)* _____
 _____ on *(date)* _____; or

☐ I returned the summons unexecuted because _____; or

☐ Other *(specify)*: _____.

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ 0.00.

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc:

UNITED STATES DISTRICT COURT/EASTERN DISTRICT OF NEW YORK

Attorney: LEVENTHAL & KLEIN, LLP

JONATHAN BELL, ETAL

Plaintiff(s)

- against -

Index # 11 CV 1885 (KAM) (RML)

CITY OF NEW YORK, ETAL

Defendant(s)

Purchased April 15, 2011

AFFIDAVIT OF SERVICE

STATE OF NEW YORK: COUNTY OF NEW YORK ss:

ANDERSON CHAN BEING DULY SWORN DEPOSES AND SAYS DEPONENT IS NOT A PARTY TO THIS ACTION, OVER THE AGE OF EIGHTEEN YEARS AND RESIDES IN THE STATE OF NEW YORK.

That on July 22, 2011 at 03:00 PM at

C/O NYPD NARCOTICS DIVISION
ONE POLICE PLAZA, ROOM 1100
NEW YORK, NY 10038

deponent served the within SUMMONS AND COMPLAINT on MATTHEW REGINA (SHIELD NO. 2389) therein named,

SUITABLE AGE by delivering thereat a true copy of each to MS. BUSBY a person of suitable age and discretion. Said premises is Defendant's actual place of business within the state. She identified herself as the CO-WORKER of the Defendant.

Deponent further states that he describes the person actually served as follows:

Sex	Skin Color	Hair Color	Age (Approx.)	Height (Approx.)	Weight (Approx)
FEMALE	BROWN	BROWN	50	5'7	145

MAILING Deponent enclosed a copy of same in a postpaid wrapper properly addressed to the Defendant at the Defendant's actual place of business at

C/O NYPD NARCOTICS DIVISION
ONE POLICE PLAZA, ROOM 1100
NEW YORK, NY 10038

and deposited said wrapper in a post office or official depository under exclusive care and custody of the United States Postal Service within New York State on July 25, 2011 by REGULAR FIRST CLASS MAIL in an envelope marked PERSONAL & CONFIDENTIAL and not indicating on the outside thereof, by return address or otherwise, that the communication is from an attorney or concerns an action against the person to be served.

PERSON SPOKEN TO REFUSED TO STATE TRUE FIRST AND/OR LAST NAMES

MILITARY SERVICE Person spoken to was asked whether the Defendant was in the military service of the State of New York or the United States and received a negative reply. Upon information and belief based upon the conversation and observation as aforesaid deponent avers that the Defendant is not in the military service of the State of New York or the United States as that term is defined in the statutes of the State of New York or the Federal Soldiers and Sailors Civil Relief Act.

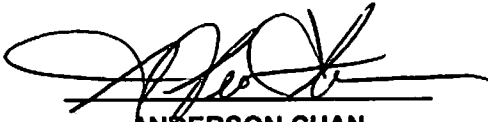
That at the time of such service deponent knew the person so served as aforesaid to be the same person mentioned and described as the Defendant in this action.

Sworn to me on: July 25, 2011

RALPH MULLEN
Notary Public, State of New York
No. 01MU6238632
Qualified in New York County
Expires April 11, 2015

JOSEPH KNIGHT
Notary Public, State of New York
No. 01KN6178241
Qualified In New York County
Expires November 26, 2011

JONATHAN GRABER
Notary Public, State of New York
No. 01GR6156780
Qualified in New York County
Expires December 4, 2014


ANDERSON CHAN
License #: 1220482
Invoice #: 535450